

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Conf. No.: 2452

AOKI et al.

Atty. Ref.: 1035-628

Serial No. 10/571,063

Group: 2629

Filed: March 8, 2006

Examiner: Steinberg, J.S.

For: DISPLAY PANEL AND DISPLAY APPARATUS

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ELECTION UNDER 35 USC §121**

In response to the Office Action dated November 9, 2009 holding the subject matter of claims 3, 4 and 8-10; 5, 7 and 18; 11-14; and 15-17 to be non-obvious and patentably distinct from that of each other, Applicant(s) hereby elect the invention of Group I, (upon which claims 3, 4 and 8-10 are readable) for further substantive examination.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., *inter alia*, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained for use with a possible divisional application.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Respectfully submitted,  
**NIXON & VANDERHYE P.C.**

December 9, 2009

By: /H. Warren Burnam, Jr./

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